

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-39 are currently pending. Claims 1-5, 8-11, 21-25, and 35-38 are currently amended. Claim 39 is newly added. The changes and additions to the claims do not add new matter and are supported by the originally filed specification at least on page 21, line 16 to page 22, line 13, and in the original claims.

In the outstanding Office Action, the specification was objected to; Claims 2-5, 21 and 22 were rejected under 35 U.S.C. §112, second paragraph (Applicants note that the Office Action indicates that Claims 2-7, 21 and 22 were rejected under 35 U.S.C. §112, however, an explanation was only provided for Claims 2-5, 21 and 22); Claims 24 and 38 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter; and Claims 1-38 were rejected under 35 U.S.C. §103(a) as unpatentable over Hashemi (U.S. Pub. No. 2003/0212804 A1) in view of Kim et al. (U.S. Patent No. 6, 714,253, hereafter “Kim”).

With respect to the objection to the specification, Applicants respectfully submit that the amendment to the title overcomes this objection, and it is respectfully submitted that this objection be withdrawn.

With respect to the rejection of Claims 2-5, 21, and 22 under 35 U.S.C. §112, second paragraph, Applicants respectfully submit that the amendments to Claims 2-5, 21, and 22 overcome this rejection. In particular, Applicants respectfully submit that Claims 2-5, which recite the phrase “the other,” do not present an antecedent basis issue because the claims recite that one of a first information processing apparatus and a second information processing apparatus is performing a task at the onset of the claim, and therefore, it is clear that “the other of said first information processing apparatus and second information processing apparatus” indicates the information processing apparatus not performing the task

at the onset of the claim. Therefore, it is respectfully submitted that this rejection be withdrawn.

With respect to the rejection of Claims 24 and 38 under 35 U.S.C. §101, Claims 24 and 38 have been amended to recite a computer-readable medium. Support for this feature can be found in the originally filed specification at least on page 19, lines 14-19. No new matter has been added. Thus, it is respectfully requested that this rejection be withdrawn.

With respect to the rejection of Claims 1-38 under 35 U.S.C. §103(a), Applicants respectfully submit that the amendment to Claim 1 overcomes this ground of rejection.

Amended Claim 1 recites, *inter alia*,

first execution means for performing a connection procedure for transferring main information from said first information processing apparatus to said second information processing apparatus over the network; and

second execution means for determining whether said first information processing apparatus has a bidirectional function for transmitting the main information and for receiving the main information over the network, or has a unidirectional function such that said first information processing apparatus has a transmission function for transmitting the main information over the network but not a receiving function for receiving the main information over the network.

Figure 1 shows a non-limiting embodiment that illustrates this principle. Figure 1 shows first information processing apparatus 2 and second information processing apparatus 5 for transferring main information over network 4. After logging into connection server 1, second information processing apparatus 5 determines the capabilities of first information processing apparatus 2.¹ Among the capabilities determined is whether first information processing apparatus 2 has a bi-direction function to transmit and receive main information over the network, or a unidirectional function to transmit but not receive main information over the network.²

¹ See specification, at p. 21, line 16 to p. 22, line 4.

² See specification, at p. 22, lines 8-13.

Heshemi describes a method of sharing media clips over a network. Figure 1A of Hashemi shows that multiple user computers 104-118 are connected via central server 102. A group of users corresponding to the user computers may be part of a peer list (also known as a “buddy list”) where each user can check with the central server on whether other users in the peer list are available (i.e., signed in or logged into the network) for sharing media clips.³

As admitted in the Office Action, Hashemi fails to disclose or suggest determining whether said first information processing apparatus has a bidirectional function for transmitting the main information and for receiving the main information, or has a unidirectional function such that said first information processing apparatus has a transmission function but not a receiving function, as recited in original Claim 1.⁴ The Office Action relies on Kim to cure this deficiency of Hashemi.

Kim describes a method of displaying digital broadcasting signals through a digital broadcasting receiver and a display device. Kim shows in Figure 3 communication between set top box 100 and display device 200. Set top box 100 checks whether a communication path to display device 200 is bi-directional through a communication line 310 or unidirectional through transmission line 320.⁵

However, Kim fails to disclose or suggest that set top box 100 and display device 200 correspond to a first information processing apparatus and a second information processing for transferring main information *over a network*. On the contrary, set top box 100 and display device 200 are connected directly to each other as shown on Figure 3, and they are both on the same end of a digital broadcasting receiver network. Therefore, set top box 100 and display device 200 do not communicate with each other over a network, as defined in Claim 1.

³ See Hashemi, at para. 41-44.

⁴ See Office Action, at p. 6, second paragraph.

⁵ See Kim, at p. 4, lines 45-50.

Additinally, Kim fails to disclose or suggest that set top box 100 is checking whether the display device 200 has a bidirectional function or a unidirectional function. Instead, as discussed above, set top box 100 is checking which of two pre-existing communication paths is being used, either the bidirectional communication line 310 or the unidirectional transmission line 200. Thus, there is no determination being performed to determine whether the display device *has* a bidirectional function *or* a unidirectional function, because set top box 100 is already aware that display device 200 *already has both* the bidirectional function and the unidirectional function based on the existence of the paths 310 and 200 between set top box 100 and display device 200. Thus, set top box is only determining which of the paths 310 and 200 that display device 200 is going to use at a given time, and therefore it is not determining whether the display device 200 has a bidirectional function or a unidirectional function.

Therefore, Kim fails to disclose or suggest execution means for *determining whether said first information processing apparatus has a bidirectional function* for transmitting the main information and for receiving the main information *over the network*, or *has a unidirectional function* such that said first information processing apparatus has a transmission function for transmitting the main information *over the network* but not a receiving function for receiving the main information *over the network*, as defined by amended Claim 1.

Therefore, Kim fails to cure the deficiencies of Hashemi with regards to Claim 1. Independent Claims 8-11, 23-25, and 37-39 recite features analogous to those of amended Claim 1. Thus, it is respectfully submitted that amended Claims 1, 8-11, 23-25, and 37-39 (and all associated dependent claims) patentably distinguish over Hashemi and Kim, either alone or in combination.

Consequently, in light of the above discussion and in view of the present amendment, the outstanding grounds for rejection are believed to have been overcome. The present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Ronald A. Rudder, Ph.D.
Registration No. 45,618